

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

JAMES C. FLEMING,

Plaintiff,

v.

MEIJER, INC.

Defendant.

CAUSE NO. 3:08-CV-329 CAN

STATUS REPORT

Pursuant to the Court's Order of March 31, 2009, Plaintiff, by counsel, informs the Court that he recently selected Arbitrator Edward Archer from a list of arbitrators provided by Defendant's counsel. Plaintiff's counsel expects Defendant to agree to the selection of Edward Archer to serve as arbitrator in this case. Additionally, Plaintiff had several issues at work that have arisen in the past several months, which Plaintiff believes exhibited further and new examples of discrimination. Plaintiff's counsel believes these matters should be made part of the arbitration hearing, since the allegations appear to be a continuation of ongoing issues Plaintiff claims to experience at Defendant's place of employment, as opposed to new claims of discrimination, which would have required the filing of new charges with the EEOC. Plaintiff's counsel has given permission to Defendant's counsel to make the initial contact with the arbitrator for purposes of setting up the hearing date.

/s/Jay Lauer

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CERTIFICATE OF SERVICE

The undersigned verifies that a true copy of the foregoing document was served electronically on Defendant's attorney this 13th day of May, 2009

/s/ Jay Lauer
Jay Lauer